



PUBLIC UTILITY DISTRICT NO. 1 OF CHELAN COUNTY

P.O. Box 4345, Wenatchee, WA 98801-4345 • 127 N. Wenatchee Ave., Wenatchee, WA 98801
(509) 665-8121 • (509) 665-1000 • www.pud1.org

Public Utility District No. 1 of Chelan County's Request for a Financial Hardship Waiver

In the Matter of the Commercial Advertisement Loudness Mitigation ("CALM")

MB Docket No. 11-93

On behalf of the Board of Public Utility District No. 1 of Chelan County ("Chelan PUD"), a small utility owned cable system (FRN# 0001-56-4168) serving Chelan County, Washington, I, hereby request a streamlined financial hardship waiver of the Commercial Advertisement Loudness Mitigation ("CALM") Act rules for one year.

Pursuant to the Commission's December 13, 2011 Report and Order in the above captioned proceeding, I certify that Chelan PUD: (1) has less than 15,000 subscribers and therefore meets the Commission's definition of a small MVPD system; and (2) needs a delay of one year to avoid the financial hardship that would otherwise be imposed if it were required to obtain the necessary audio monitoring equipment sooner.

The basis for the financial hardship is two-fold. First, Chelan PUD's fiber system (including the cable system as a part of the overall system) is a separate business line and must stand on its own financially. In 2011 and in prior years, the fiber system has lost significant money; that is, the revenue does not pay operating expenses. Chelan PUD is attempting to recover and change its operations to avoid losses in the future. Second, Chelan PUD is currently planning to transfer operation of its video cable head-end and would require the new operator to invest in equipment and comply with all laws. Thus, installation of the measures required by CALM rules is not an appropriate use of the limited operational budget at this time.

I represent and warrant that the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. I also acknowledge that false statements and misrepresentations to the Commission are punishable under Title 18 of the U.S. Code and may subject Chelan PUD to enforcement actions.

Signed: C. Church Date: 7/20/12
Chris Church, Interim Managing Director, Fiber and Telecom